

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BENIHANA OF TOKYO, INC.)
v. Plaintiff,) Civil Action No. 10-1051 SLR
BENIHANA INC. and NOODLE)
TIME, INC.,)
Defendants.)

STIPULATION AND ORDER FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, through their undersigned counsel, and subject to the approval of the Court, that the time within which Defendants Benihana, Inc. and Noodle Time, Inc. may move, answer or otherwise respond to the amended complaint is extended through and including June 26, 2012. The parties' dialogue is continuing, and they believe that another brief extension may facilitate an amicable resolution.

/s/ David M. Powlen

Mark R. Owens (#4364)
Mark.Owens@btlaw.cm
David M. Powlen (#4978)
David.Powlen@btlaw.com
BARNES & THORNBURG LLP
1000 North West Street, Suite 1200
Wilmington, Delaware 19801
(302) 888-4536

Attorneys for Plaintiff

Dated: June 12, 2012

/s/ Todd A. Coomes

Robert W. Whetzel (#2288)
Whetzel@rlf.com
Todd A. Coomes (#4694)
Coomes@rlf.com
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
920 N. King Street
Wilmington, Delaware 19899
(302) 651-7700

Attorneys for Defendants

SO ORDERED this _____ day of _____, 2012.

United States District Judge